

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Deutsche Bank National Trust Company,
as trustee for First Franklin Mortgage
Loan Trust 2005-FFH3, Asset-Backed
Certificates, Series 2005-FFH3

Plaintiff,

vs.

Tony Minnear, et al.

Defendants.

Case No. 2:07-cv-00290

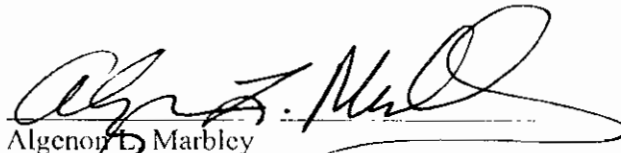
Judge Algenon L. Marbley

**ORDER CANCELLING SALE
PROCEEDINGS, VACATING
JUDGMENT, AND DISMISSING
CASE**

UNITED STATES DISTRICT JUDGE ALGENON L. MARBLEY

This matter is before the Court on the motion of Plaintiff for an entry cancelling sale proceedings, vacating the judgment and decree of foreclosure entered in this case under Rule 60(b)(5) and for an order dismissing this case under Rule 41(a)(2) of the Federal Rules of Procedure. The Court hereby grants Plaintiff's motion. The judgment and decree of foreclosure entered in this case is hereby vacated and this action is hereby dismissed without prejudice at Plaintiff's costs. No sale date shall be set. The Clerk is hereby ordered to distribute \$500.00 to Michael J. Barren, the assigned special master, from Plaintiff's deposit and to distribute the remaining amount on deposit, in the amount of \$700.00, to Plaintiff.

IT IS SO ORDERED.


Algenon L. Marbley
UNITED STATES DISTRICT JUDGE